

**BOARD OF SELECTMEN MEETING
MONDAY, FEBRUARY 4, 2013
7PM AT THE TOWN OFFICE BUILDING**

PRESENT: Selectmen Robert J. Boilard (presiding), James E. Thompson, Robert W. Russell, Robert A. Weitz, Town Administrator and Candace Ouillette Gaumond, Administrative Assistant to the TA/BOS.

PLEDGE OF ALLEGIANCE

Chairman Boilard welcomed the audience in attendance. He then led the group in the Pledge of Allegiance.

APPOINTMENTS WITH THE BOARD

Proclamation Presentation to Dr. Michael Margolis

Chairman Boilard praised Dr. Margolis for his various contributions to the Wilbraham community. For this reason, Chairman Boilard explained that the Board of Selectmen was presenting Dr. Margolis with a proclamation tonight. Chairman Boilard read the proclamation to be given to Dr. Margolis, and then presented the proclamation to Dr. Margolis.

1067V Glendale Road-Charles Phillips, Chair, Open Space and Recreation Committee

Chairman Boilard invited Charles Phillips, Chair of the Open Space and Recreation Committee, and any other members of Open Space and Recreation Committee, who were present, to join the discussion regarding 1067V Glendale Road. Mr. Phillips reported that the Open Space and Recreation Committee's main interest with regard to this land was to have a trail head on the property so people can park 5-6 cars. We would like to keep most of the trail in the woodland area.

Chairman Boilard clarified that the conservation was to look at designating the status of the property from municipal to open space; and coming to some agreement as to how we treat this property. Mr. Phillips nodded his head. Chairman Boilard also noted that Mr. Gagliarducci expressed concern about one of the access points to this property. He added that this is one of the reasons why the Select Board walked the property yesterday to examine where other access points could be and some alternative options. The initial presentation from Mr. Gagliarducci's was a proposal to purchase the 37 acres and donate a few acres of the land back to the Town, which would block access to the property from Glendale Road. The Select Board is trying to come up with an alternative for the community, hikers and open space to be able to utilize the property, and having a continuous line from Thayer Brook, down through Glendale, and down to Rice's

Mr. Phillips asked about the Selectmen's opinion of the property. Selectman Russell discussed the walk that several town officials, including Selectman Russell and Chairman Boilard, took of the area over the past weekend. Selectman Russell felt that there were options that could help everyone to accomplish their goals; however, there needs to be more research conducted on the options.

The discussion turned to the topic of Hollow Road bridges. Chairman Boilard mentioned that one of the issues that the Conservation Commission is concerned about is the motorized vehicles in the area utilizing the bridges. He noted an alternative option to discourage this activity could be to reduce the size of bridges from 6 feet to 3 ½-4 feet; therefore, preventing use of the bridges by ATVs. Chairman Boilard did note that this option does not solve the legality of the bridges being there. He felt that the process needs to go back to the Conservation Commission to determine whether the bridges are allowed to remain. He did feel that having the bridges there would provide access for hikers to a walking trail. Chairman Boilard also mentioned some concern expressed by a resident, who he identified as being in the audience at the meeting, about the area flooding and concern of the bridges possibly acting as dams. He further added that there are a lot of things that need to be considered. Chairman Boilard explained that the Selectmen are trying to come up with a solution that allows the Open Space and Recreation Committee to have connectivity, residents on Stonington and abutters on the property feel comfortable with the decision and Conservation Commission to deal with the bridge situation.

Selectman Thompson concurred with what Chairman Boilard stated. He also noted that there are a multiple issues with regard to the bridges. Selectman Thompson expressed concern regarding the bridges being built without proper authorization and the flooding issue. He also felt that there would be no decision made tonight; whereas, the issue is a very complicated matter and the Selectmen want to take the time to make the right decisions.

Mr. Phillips asked if the Selectmen will continue to evaluate the situation and collect further input. Chairman Boilard stated that he felt that a meeting with Mr. Gagliarducci, Open Space and Recreation and Conservation Committees should occur to come up with a plan and some alternatives so as to arrive at a solution that is mutually acceptable for all parties. Selectman Thompson also noted that the Selectmen would like to have a discussion with Town Counsel Michael Hassett before the Selectmen making a decision on this matter. Chairman Boilard did note that to have the connectivity from Thayer Brook down through to Rice's there needs to be a crossing over the stream somewhere, whether it's where it is now or further down.

Paula Olsen, Executive Director- Wilbraham Housing Authority

Chairman Boilard invited Paula Olsen to the front of the room. Ms. Olsen introduced herself as the new Executive Director of the Wilbraham Housing Authority. Chairman Boilard asked Ms. Olsen about the pending legislation that would authorize state control over smaller housing authorities through a regionalization process, which would take away local control of the Housing Authority. Ms. Olsen was familiar with the legislation and spoke briefly about it. Chairman Boilard asked Ms. Olsen to keep the Select Board abreast of this situation.

Beverly Litchfield, Town Clerk, was present in the audience and asked a question. She asked Ms. Olsen if the state appointed a Commissioner to the Wilbraham Housing Authority as of yet. Ms. Olsen stated, "no, not yet." Ms. Olsen also shared that the Wilbraham Housing Authority has asked for a state appointee. Walter Damon, Vice Chair of the Finance Committee, asked how the CPC funding for housing would be impacted if the state took over the control of the Wilbraham Housing Authority. Ms. Olsen was unsure and offered to look into it. Mr. Damon asked the Selectmen to ask Ms. Olsen to look into this matter.

Candidate Interview for Board/Committee Seats

Tracey Plantier – Candidate for the Open Space and Recreation Committee

Chairman Boilard invited Tracey Plantier to the front of the room for an interview as a candidate for the Open Space and Recreation Committee. Chairman asked Ms. Plantier to introduce herself and inform why she is interested in serving on this Committee. Ms. Plantier is a resident in Town. She volunteers at Fountain Park and for the Vision Task Force. She utilizes many open spaces in Town. Ms. Plantier would like to give back to her community. Selectman Thompson asked her if she had any preconceived ideas about how we manage in Town. Ms. Plantier explained that she does not have any preconceived ideas. She got interested in the Open Space and Recreation Committee while attending the *Imagine Wilbraham Day*. Selectman Russell asked what she would like to learn on the committee. Ms. Plantier wants to become more familiar with open space and give back to the community. Selectman Thompson asked if Ms. Plantier has any questions for the Selectmen. Ms. Plantier had no questions; she just commented about volunteering in Town.

MOTION: Made (Thompson) and seconded (Russell) to appoint Tracey Plantier for a one-year term to fill the current vacancy on the Open Space and Recreation Committee. Approved 3-0.

Materials Referenced: Citizen Reply Form & Resume submitted by T. Plantier.

Marian E. Poe-Heineman – Playground and Recreation Commission

Chairman Boilard invited Marian Poe-Heineman to introduce her self and explain why she is interested in volunteering for the community. Ms. Poe-Heineman stated that she was approached by Bryan Litz about volunteering on the Playground and Recreation Commission. She explained that her son participated in the

Town's recreational programs for many years. She further added that her son is away at college. Therefore, she feels that she has time to participate and give back to the Recreation Department for all it's done for her and family over the years. Selectman Thompson asked if she had any preconceived ideas. Ms. Poe-Heineman answered that she did not have any preconceived ideas. She expressed that Wilbraham does a great job. Selectman Russell praised Ms. Poe-Heineman and expressed support of her.

MOTION: Made (Thompson) and seconded (Russell) to appoint Marian E. Poe Heineman for a three-year term to the Playground and Recreation Commission. Approved 3-0.

Materials Referenced: Letter of Interest, dated December 24, 2012, submitted by M. E. Poe-Heineman.

OPEN SESSION

Town Administrator's Report

Town Administrator Weitz informed the Selectmen that he attended the Massachusetts Municipal Association conference last Friday. He also explained that the Town received information about its local aid as proposed in the Governor's Budget. However, he shared that the Governor's figures for local aid is based on proposed increases of taxes, which have not been passed into law as of yet. Therefore, the budget figures are not solid figures.

Town Administrator Weitz also shared that he met with Representative from Hampshire Council of Governments recently regarding the two proposals the Town received for solar arrays at the Disposal and Recycling Center. He is scheduled to meet with the representatives from the companies who submit the proposals next week. He mentioned that the proposals have been altered, which is more beneficial for the Town.

Town Administrator Weitz also informed the Selectmen that he will need to know what they would like to do about the Tree Warden position. If the Selectmen are interested in altering the position from an elected to appointed position then an article for Town Meeting will be required.

He mentioned briefly that Town Counsel stated that the buyer for the Grange would like to move the closing date to an earlier date. Town Administrator Weitz also shared that the auditors are here doing the Town's fiscal 2012 audit; and that the forest clearing project is moving along quite well. He had the opportunity to visit a couple of the forestry cleanup sites.

Board of Selectmen updates

Chairman Boilard asked if there were any updates. The Selectmen offered no updates.

Citizens Open Forum

Chairman Boilard asked if there were any citizens present for the open forum. Beverly Litchfield, Town Clerk, spoke about the field directly behind her house. She is requesting that the area, which is town-owned, be cleaned and maintained because it is currently overgrown. The Selectmen discussed the situation. Chairman Boilard then asked Town Administrator Weitz to have Ed Miga, Town Engineer and Director of Public Works, take a look at the area and address it.

A resident, who is a boy scout, asked a question about Hollow Road Bridges. He asked how wide the brook is. Chairman Boilard responded that it was about three feet. The Boy Scout offered to help build bridges if needed. Selectman Thompson praised him for offering to help out.

A resident spoke up about the possibility of a solar array at the Disposal and Recycle Center. He noted that a solar array over time would project to be more costly than electricity. He said that electricity does not appear to be rising in cost in the future. He asked that the Selectmen move cautiously with regard to any solar array proposal. Chairman Boilard stated that the Selectmen haven't seen the proposal as of yet and

have not made any decisions. Selectman Russell assured the resident that the Board of Selectmen is moving cautiously on this matter.

OLD BUSINESS

Women and Minority Business Enterprise Program Policy

Town Administrator Weitz explained that the Women and Minority Business Enterprise Program (WMBE) policy contradicts some of the work its intent is to support. Therefore, the policy is counterproductive towards the population it's intended to help. He further added that the he and Town Counsel would review the policy and revise it to make it more conducive to opening procurement process to all.

MOTION: Made (Thompson) and seconded (Russell) to repeal the Women and Minority Business Enterprise Program Policy and to direct the Town Administrator to work with Counsel to prepare a Women and Minority Business Enterprise Procurement Goal Statement for future adoption by the Board. Approved 3-0.

Materials Referenced: WMBE policy; Email, dated January 11, 2013, sent by T. Basch, Assistant Town Engineer, regarding the WMBE policy.

Hollow Road Bridge

Chairman Boilard mentioned that the topic of Hollow Road Bridges was touched upon earlier during tonight's meeting. Stoughton Smead, member of the Conservation Commission, informed the Select Board that Chris Brown, Chairman of Conservation Commission, is planning on attending the meeting tonight to speak about this issue; however, he is running late. Chairman Boilard stated that the Select Board would take up other agenda items at this time, and return to this topic once Mr. Brown arrives.

(The agenda item, Hollow Road Bridge, was discussed again at the end of the meeting, after the minutes and prior to adjourning. The following is the discussion that took place at that time.) Mr. Smead joined the Selectmen for this conservation. He told the Selectmen that the Conservation Commission met with Karen Leigh, Conservation Coordinator for the Westfield Conservation Commission at the site of the Hollow Road Bridges. She is an expert in conservation regulations. Mr. Smead spoke about the findings of this meeting. It was determined that the bridges are too close to the vernal pools. The bridge closest to Hollow Road is scouring on the bottom. The brook's water flows at a high rate of speed, which could cause some settling of the bridge. The overall site selection for this bridge was not as good as the other bridges. Mr. Smead cited state regulations for bridge requirements. According to the conservation commission's findings, the bridges are estimated at sixty square feet. State regulations require it to be fifty square feet. Whereas the bridge is sixty square feet, it is impeding the walking of critters. It also prevents daylight from getting to the earth. The bridges would need to be modified to be in compliance with state regulations. He claimed that the bridges would need to be raised and extended as well as cut down to be fifty square feet. The abutments on each end of the bridges must be made so that daylight can reach underneath each end to the earth. The Selectmen discussed this matter with Mr. Smead. Chris Brown, Chair of the Conservation Commission entered the meeting at this time and joined the group. Mr. Smead advised that if the bridges are to remain in place, then the bridges need to be modified to be in compliance with the state regulation. Moreover, there needs to be some consideration of maintenance of the bridges moving forward.

Mr. Brown had nothing further to added to the discussion but was interested in hearing what the Selectmen thought about this issue. Chairman Boilard expressed interest in seeing the state regulations that Mr. Smead spoke about. Mr. Brown mentioned that the state regulations where issued from the Massachusetts Department of Environmental Protection (DEP.)

Selectman Russell asked for clarification if the bridges are greater than fifty feet. Mr. Smead confirmed that the bridges are sixty feet. Selectman Russell felt, after viewing the bridges and area yesterday, that there needs to be some way to get across the brook. He explained the idea of narrowing the bridges to

discourage ATVs from using it. He speculated that if the bridges are narrowed then it will suffice the fifty feet specified in state regulations. Mr. Smead felt that a single passenger ATV could still navigate on a bridge that wide. Chairman Boilard felt ATVs may not be able to fit but dirt bikes might.

Selectman Thompson stated that the Selectmen are scheduled to meet with Michael Hassett, Town Counsel, at the end of the month about this matter. He expressed his concern about the Town's procedure that was not followed to build the bridges. He also expressed concern about an issue a resident raised with regard to flooding that may occur and the impact the bridges present to any type of flooding.

Mr. Smead expressed that there would still need an abutment to not impede the critters.

Mr. Brown suggested having the individual build the bridges in another place by following the proper Town process.

NEW BUSINESS

Proposed FY'14 Budget

Town Administrator Weitz presented the proposed FY'14 budget using the projector, which illustrated his proposed budget for the audience. He explained that he prepared the budget as he has in the past. Town Administrator Weitz starts preparing the budget by determining how much revenue is available in the Town. The way he does that is he starts by looking at the property tax; more than 90% of what the Town has available for funds. Under proposition 2 ½, he calculates the property tax available by taking the previous year's levy limit, which was over \$30 million. Then he adds 2 ½ % to \$30 million as well as any revenue from new growth which then provides a figure as a basis for a levy. Town Administrator Weitz further explains that he adds to that figure any amount that was excluded by an override; in this case the figure is \$1.475 million, which is primarily the debt from the new Minnechaug Regional High School. The sum will provide total maximum of a tax levy of about \$32.5 million for fiscal year 2014. In addition to the property tax, the Town has state receipts. The Town uses the Governor's budget figures for local aid. Town Administrator Weitz explained the state's budgetary process. He also indicated that the Governor's budget figures are based on a legislative proposal to increase taxes, which has not been yet approved. Therefore, the figures are tentative at this point. Wilbraham receives an insignificant amount of state aid compared to other communities. Wilbraham receives only \$1.3 million in state receipts; but, he adds, this is a very flexible number.

In addition to state receipts, the Town has local receipts of about \$5.8 million. A large portion of those monies are enterprise fund monies that go directly to the enterprise funds: Disposal and Recycling Center, Water and Wastewater Departments get a total \$3.5 million which funds those operations in the Department of Public Works. Local receipts, \$2.2 million, are mostly derived from Motor vehicle excise receipts. With regard to transfers from available funds that the Town has, Town Administrator Weitz is proposing that \$9 million from free cash be utilized to pay off the October 2011 snowstorm debt. Overall, the total amount of receipts and revenue is \$40.6 million. The budget is prepared with only a 2.1% increase from last year's budget. The vast amount of these funds, \$36.7 million, will be approved through Town Meeting. The state does have cherry sheet charges that are subtracted from the Town's revenue. As a result, the total budget for Wilbraham in fiscal year 2014 is \$40.5 million, about 125,000 dollars under Proposition 2 ½'s levy limit. Town Administrator Weitz advised that there will be a number of requests that the Finance Committee will be looking at for additional funding. Again, the bottom number may increase or decrease depending on what state aid will be available.

According to Town Administrator Weitz, some of the highlights of the budget are: \$50,000 for the technology fund, two additional part time positions in the Building Inspector's office and Central Dispatch; refunding a small building project line item in the building facilities fund. Town Administrator Weitz explained that this line item was funded a couple of years ago; however, the funds have since depleted. Yet, there are still a number projects that need to be completed that are not sizable amount for the Capital Planning Committee to consider. He also added funding for temporary help at the public library so as to conduct a one year trial of offering Sunday hours. Town Administrator Weitz also included \$100,000

funding for the OPEC liability trust fund. He noted that over the years the Town has been increasing that fund. Lastly, Town Administrator Weitz proposed \$90,000 to cover the cost of the unreimbursed snowstorm.

Chairman Boilard noted that the community is quite self sufficient when it comes to the budget. The school district handles its own budget. Walter Damon, Vice Chair of the Finance Committee, asked a question regarding the school assessment. Town Administrator Weitz responded that he utilized 2 ½ percent over last year. Chairman Boilard noted that throughout the years, with proper guidance, great selectmen in the past and members of the Finance Committee, Wilbraham has planned very well so that the pension balloon should be taken care of in about ten years. Chairman Boilard asked if there were any questions about the Technology Fund. He explained that it's used for programs to reduce costs or to increase services to the community. This line item was implemented a few years ago to help the Town save money.

Selectman Thompson stated that it is a counterintuitive budgeting process. According to Selectman Thompson, the vast majority of the monies raised go to fund the regional school district. While the Town has a small percentage coming from the state, the school district does rely on more funds, including transportation. The Town puts together the budget without knowing what types of revenues the state will provide to the Town. He further added that, municipally, the Town of Wilbraham can handle this unknown. However, it is a bit more difficult for the schools. The process the Town goes through is the vetting process with the Finance Committee. Next few months will show us what the realistic numbers will be to use. Selectman Thompson claimed that this is the starting process. He further stated that as Town Meeting nears, the Town will have a better idea of its budgetary numbers. Wilbraham has always been fiscally conservative with its approach to debt and funding.

Selectman Russell inquired if there is a date that the Board of Selectmen will meet with the Finance Committee to go over the initial part of the budget. Chairman Boilard did speak to the Finance Committee Chair, Susan Bunnell, but he did not have a meeting date at this time for the Selectmen. He did mention that there will be a few meetings set up during the budget process between the Board and the Finance Committee.

Beverly Litchfield, Town Clerk, thanked the Selectmen for the Technology Fund. She claimed that it was a big help to the Clerk's Office with regard to software that made the dog licensing process smoother and faster.

MOTION: Made (Thompson) and seconded (Russell) to approve the proposed FY'14 budget prepared by the Town Administrator and to forward said proposed budget to the Finance Committee for review. Approved 3-0.

Materials Referenced: FY'14 Budget draft and related documents, submitted by R. A. Weitz, Town Administrator.

Lease Agreement-19 Peak Road (Forestry Storm Cleanup)

Chairman Boilard announced that this lease agreement is for forestry storm cleanup. He asked if there were any questions. Hearing none; a motion was made.

MOTION: Made (Thompson) and seconded (Russell) to approve the lease agreement between the Town of Wilbraham and L. Charkoudian, 19 Peak Road, Wilbraham, for the Department of Public Works' use of land and right of way access while performing the forestry storm cleanup on an adjacent parcel designated for a forest cutting plan. Approved 3-0.

Materials Referenced: Lease Agreement for 19 Peak Road as submitted by T. Basch, Assistant Town Engineer.

Lease Agreement-16 Peak Road (Forestry Storm Cleanup)

Application for a Section 14: Special Alcohol Service (1 day license) – Teams of Our Lady Couples Group
Chairman Boilard announced the agenda item. He then asked for a motion.

MOTION: Made (Thompson) and seconded (Russell) to grant a one-day alcoholic beverage service license to David A. Graziano of Teams of Our Lady Couples Group for use at a dinner event at St. Cecilia's Parish Center on February 9, 2013, between the hours of 6:00 PM and 9:00 PM. Approved 3-0.

Materials Referenced: Application for a Section 14: Special Alcohol Service submitted by D. A. Graziano on behalf of the Teams of Our Lady Couples Group.

Application for One Day Entertainment License – Stawco, LLC d/b/a Krazy Jakes
Chairman Boilard asked if there were any questions. Hearing none, he then asked for a motion.

MOTION: Made (Thompson) and seconded (Russell) to grant a One-Day Entertainment License to Stawco, LLC d/b/a Krazy Jakes, for a one-day event at 2537 Boston Road, Wilbraham, Massachusetts on February 8, 2013, allowing D.J. and recorded music between the hours of 4:00 PM and 10:00 PM.

Materials Referenced: Application for One Day Entertainment License submitted by S. Stawas of Stawco, LLC d/b/a Krazy Jakes.

MINUTES OF MEETINGS

January 7, 2013

January 7, 2013 executive session

The Selectmen had no changes to add to the minutes. A motion was made to accept the minutes.

MOTION: Made (Thompson) and seconded (Russell) to accept the minutes and executive session minutes of January 7, 2013 as submitted. Approved 3-0.

Materials Referenced: Drafts of the minutes and executive session minutes of January 7, 2013 as submitted by C. O. Gaumond, Administrative Assistant to the TA/BOS.

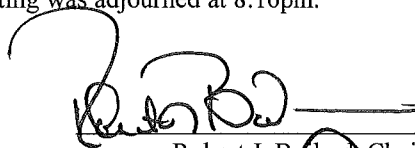
EXECUTIVE SESSION

The Board of Selectmen did not meet in executive session tonight.

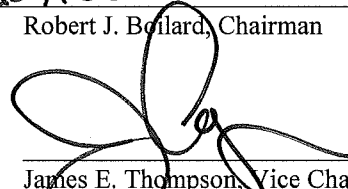
Therefore, having no further business, the meeting was adjourned at 8:16pm.



Candace Ouillette Gaumond
Administrative Assistant to TA/BOS



Robert J. Boilard, Chairman



James E. Thompson, Vice Chairman



Robert W. Russell, Clerk

A motion was made.

MOTION: Made (Thompson) and seconded (Russell) to approve the lease agreement between the Town of Wilbraham and P. Graziano, M.D., 16 Peak Road, Wilbraham, for the Department of Public Works' use of land and right of way access while performing the forestry storm cleanup on an adjacent parcel designated for a forest cutting plan. Approved 3-0.

Materials Referenced: Lease Agreement for 16 Peak Road as submitted by T. Basch, Assistant Town Engineer.

Sewer Abatements

Chairman Boilard noted that there were three abatements that the Selectmen would be reviewing tonight. The abatements are a result of the following: irrigation meter, incorrect reading and filled pool. He then asked for a motion. A motion was made.

MOTION: Made (Thompson) and seconded (Russell) to approve three sewer abatements, totaling \$356.60 as indicated in a memo from E. Miga, Director of DPW/Town Engineer, dated February 4, 2013. Approved 3-0.

Prior to moving to the next agenda item, Selectman Thompson acknowledged a letter received from residents who commended and praised the work of Tonya Basch, Assistant Town Engineer. Selectman Thompson commended Ms. Basch and the Department of Public Works. He asked that Town Administrator Weitz pass along the letter to Ed Miga, Director of Public Works/Town Engineer, and Ms. Basch.

Materials Referenced: Memo, dated February 4, 2013, from E. Miga, Jr., Town Engineer/Director of Public Works, regarding sewer abatements; Letter, received January 14, 2013, from R. Brown and P. Keiser, regarding T. Basch, Assistant Town Engineer, and the Department of Public Works.

Department Head Retirement

Later on in the evening, the Selectmen noted that this item is tabled. It was shared with the audience that this item will be discussed later on relative to planning for department retirements. Selectman Russell has been working on this issue. He needs more time before presenting on this topic.

Request relative to the Wilbraham Tornado Relief Account

The matter was tabled.

Materials Referenced: Email, dated January 9, 2013, from P. Dubord, Director of Elder Affairs, regarding the Wilbraham Tornado Relief Account.

LICENSING AND OTHER APPROVALS

Request for Use of Public Property – Wilbraham Hill Climb Re-enactment Committee

Chairman Boilard provided insight into the upcoming Wilbraham Hill Climb Re-enactment event and what it will entail. One of the Boy Scouts in attendance asked when the event would be. Chairman Boilard stated July 13, 2013. Selectman Russell commented that the Committee is looking for help from the Boy Scouts. The Boy Scout agreed to offer his help. Chairman Boilard claimed that the Wilbraham Hill Climb Re-enactment is going to be a great event!

MOTION: Made (Thompson) and seconded (Russell) to grant permission to the Wilbraham Hill Climb Reenactment Committee for the use of public ways and sidewalks for a charitable, public event on July 13, 2013, from 7am to 4pm, at Gazebo Park and Brewer Pond; and that the event notice be forward to public safety officials for review and comment. Approved 3-0.

Materials Referenced: Request for Use of Public Property Application submitted by the Wilbraham Hill Climb Re-enactment Committee.